

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Yan Kushnir,

Plaintiff,

Case No. 18-cv-1518

v.

Diversified Consultants, Inc. and Receivables
Performance Management, LLC,

Defendant.

_____ /

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant, Diversified Consultants, Inc., hereby removes the above captioned civil action from the Supreme Court of the State of New York, County of Queens, to the United States District Court for the Eastern District of New York. The removal of this civil action is proper because:

1. On February 6, 2018 plaintiff, Yan Kushnir, commenced a civil action by filing a complaint in the Supreme Court of the State of New York, County of Queens entitled and captioned as *Yan v. Diversified Consultants, Inc. and Receivables Performance Management* Index No. 701864/2018 (hereinafter the “State Court Action”). No further proceedings before the State Court have occurred.

2. In the complaint, plaintiff alleges statutory causes of action against Diversified Consultants, Inc. A true and correct copy of plaintiff’s complaint is attached hereto as Exhibit A.

3. Specifically, plaintiff accuses defendants of violating the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692, *et seq.*, and New York state law.

4. This Court has jurisdiction over plaintiff’s claims pursuant to 28 U.S.C. §§ 1331 and 1441 in that the claims are founded on a claim or right arising under the laws of the United States. This Court has supplemental jurisdiction over plaintiff’s joined state law claims, pursuant to 28 U.S.C. § 1441(c).

5. This Notice of Removal is timely, having been filed within thirty (30) days of the date defendant Diversified Consultants, Inc. received plaintiff’s complaint. *See* 28 U.S.C. § 1446.

6. Defendant, Receivables Performance Management, LLC, consents to this Notice of Removal. *See* 28 U.S.C. § 1446(b)(2)(A).

7. Written notice of this Notice of Removal of this action is being immediately provided to the Supreme Court of the State of New York, County of Queens. *See* Exhibit B, attached hereto.

8. Written notice of this Notice of Removal of this action is being caused to be served on all parties.

WHEREFORE, defendant, Diversified Consultants, Inc., gives notice that this action is removed from the Supreme Court of the State of New York, County of Queens, to the United States District Court for the Eastern District of New York.

Dated: March 12, 2018

Respectfully Submitted,

/s/ Aaron R. Easley

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*Attorney for Defendants,
Diversified Consultants, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of March, 2018, a copy of the foregoing **Notice of Removal** was electronically filed with the Clerk of the Court, United States District Court for the Eastern District of New York and served upon the following via U.S. Mail:

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/s/ Aaron R. Easley
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